

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Agere Systems Guardian Corp.

Application No./Patent No.: 09/636,455 Filed/Issued Date: August 11, 2000

Entitled: Phase Offset Detection  
Agere Systems Guardian Corp., a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

States that it is :

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %  
500

In the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☒ A Chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From Inventor(s) To: Lucent Technologies Inc.  
The document was recorded in the United States Patent and Trademark Office at  
Reel 011119, Frame 0941, or for which a copy thereof is attached.
2. From Lucent Technologies Inc. To: Agere Systems Guardian Corp.  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

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☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[Note: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

5/10/01  
Date

Mark A. Kurisko  
Typed or printed name  
[Signature]  
Signature  
Corporate Counsel  
Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent And Trademark Office, Washington, D. C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D. C. 20231.

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LISA



IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

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MAY 15 2001  
Technology Center 2600

PATENT APPLICATION

Shaohan J. Chou  
Jianqiang Xin  
Jinguo Yu

CASE 1-1-4

Serial No. 09/636,455

Group Art Unit 2734

Filed August 11, 2000

Examiner Not Yet Assigned

Title Phase Offset Detection

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:


**REVOCATION OF POWER OF ATTORNEY OR AUTHORIZATION OF AGENT**

I hereby revoke all previous powers of attorney or authorizations of agent given in the above-identified application. An Agreement Regarding Powers of Attorney and General Appointment of Agent and Power of Attorney is submitted herewith.

Firm Name: Agere Systems Inc.  
Address: P.O. Box 614  
Berkeley Heights, NJ 07922-0614 USA  
Telephone: (908) 582-3258 Fax: (908) 582-5911

I represent the assignee of record of the entire interest who is entitled to prosecute this application to the exclusion of the named inventors on the previous assignee pursuant to 37 CFR 3.71. A statement under 37 CFR 3.73(b) is enclosed.

Respectfully,

  
Mark A. Kurisko, Attorney  
Reg. No. 38,944  
Phone 610-712-3754

Date: 5/10/01

Agere Systems Inc.  
P.O. Box 614  
Berkeley Heights, New Jersey 07922-0614



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**AGREEMENT REGARDING  
POWERS OF ATTORNEY**

**RECEIVED**

**MAY 15 2001**

**Technology Center 2600**

**by and between**

**LUCENT TECHNOLOGIES INC.**

**and**

**AGERE SYSTEMS INC.**

**Dated as of February 1, 2001**

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MAY 15 2001

Technology Center 2600

## AGREEMENT REGARDING POWERS OF ATTORNEY

This Agreement is effective as of February 1, 2001 between LUCENT TECHNOLOGIES INC., a Delaware corporation ("LUCENT"), having an office at 600 Mountain Avenue, Murray Hill, New Jersey 07974, United States of America, for itself and on behalf of its Subsidiaries (each and all herein after "LUCENT") and AGERE SYSTEMS INC., a Delaware corporation, with offices at 555 Union Boulevard, Allentown, PA 18109, United States of America ("AGERE").

**WHEREAS**, the Board of Directors of LUCENT has determined that it is in the best interests of LUCENT and its stockholders to separate LUCENT's existing businesses into two independent businesses; and

**WHEREAS**, as part of the foregoing, LUCENT has assigned certain United States and corresponding foreign patents and patent applications to AGERE, which patents and applications were filed in the name of LUCENT and various of its subsidiaries and predecessors, including AT&T Corp., a New York corporation and various of its subsidiaries; and

**WHEREAS**, in order to effect its rights under such patents and to prosecute such patent applications, including recording such assignments, AGERE representatives need Power of Attorney from LUCENT and predecessors of LUCENT.

**THEREFORE**, LUCENT agrees to provide AGERE employees and employees of AGERE affiliated companies with Powers of Attorney in the form attached to act for LUCENT, any of its wholly-owned subsidiaries, and any of such predecessors with respect to such issued patents and pending patent applications in the names of LUCENT, such subsidiaries or any of such predecessors.

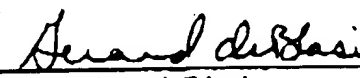
AGERE agrees to use such Powers of Attorney only with respect to those certain patents and patent applications which were assigned to AGERE by LUCENT.

**LUCENT TECHNOLOGIES INC.**

By:   
Daniel P. McCurdy  
President - Intellectual Property Business

Date: 1/30/01

**AGERE SYSTEMS INC.**

By:   
Gerard A. deBlasi  
Vice President - Law

Date: 1/30/01


**GENERAL APPOINTMENT OF AGENT****And****POWER OF ATTORNEY****RECEIVED****MAY 15 2001****Technology Center 2600**

Lucent Technologies Inc., for itself and its subsidiaries, and as successor in interest to patents of AT&T Corp. and its subsidiaries, hereby appoints:

Gerard A. deBlasi  
Fred M. Romano  
Scott W. McLellan  
Richard J. Botos  
Marie MacNichol  
Geraldine Monteleone  
Scott Rittman  
Anthony Grillo  
David Smith  
Robert P. Marley  
John Veschi  
Mark Kurisko  
Les Birnbaum

as agents and attorneys to act on its and on Lucent Technologies Inc.'s behalf before any competent National and International Authorities in connection with any and all patents and patent applications filed by Lucent Technologies Inc., its wholly-owned subsidiaries or its predecessors, or issued or pending in the name of Lucent Technologies Inc., or any of its wholly-owned subsidiaries or predecessors, with the power to further appoint agents, and grant powers of attorney in connection therewith.

Lucent Technologies Inc.

By:   
Daniel P. McCurdy  
President - Intellectual Property Business

Date: 1/30/01

**EXECUTION COPY**

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**PATENT ASSIGNMENT**

**by and between**

**LUCENT TECHNOLOGIES INC.**

**and**

**AGERE SYSTEMS GUARDIAN CORP.**

**Dated as of January 30, 2001**

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## **PATENT ASSIGNMENT**

THIS PATENT ASSIGNMENT (this "Assignment"), effective as of January 30, 2001 (the "Effective Date"), is by and between Lucent Technologies Inc., a Delaware corporation, with offices at 600 Mountain Avenue, Murray Hill, New Jersey 07974, United States of America, ("ASSIGNOR") and Agere Systems Guardian Corp., a Delaware corporation, with offices at 555 Union Boulevard, Allentown, PA 18109, United States of America ("Agere Systems Guardian").

### **RECITALS**

A. WHEREAS, the Board of Directors of ASSIGNOR has determined that it is in the best interests of ASSIGNOR and its stockholders to separate ASSIGNOR's existing businesses into two independent businesses;

B. WHEREAS, ASSIGNOR presently owns or controls certain patents, patent applications, and invention submissions listed in the attached Appendices A and B (hereinafter "TRANSFERRED PATENTS") and;

C. WHEREAS, in furtherance of the foregoing separation, ASSIGNOR desires to transfer, assign, convey, deliver and vest all of its interests and rights in TRANSFERRED PATENTS for all countries, jurisdictions and political entities of the world, to and in Agere Systems Guardian;

NOW, THEREFORE, in consideration of the premises and for other good and valid consideration, the receipt and sufficiency of which are hereby acknowledged, the parties, intending to be legally bound, agree as follows:

ASSIGNOR, subject to existing rights and licenses of third parties, does hereby assign, convey, transfer and deliver, and agrees to assign, convey, transfer and deliver to Agere Systems Guardian, its successors, assigns and legal representatives or nominees, ASSIGNOR's entire right, title and interest, for all countries, jurisdictions and political entities of the world, along with the right to sue for past infringement, to all TRANSFERRED PATENTS listed on Appendices A and B, and corresponding counterpart foreign patents and patent applications, with respect to which, and to the extent to which, ASSIGNOR now has or hereafter acquires the right to so assign, convey, transfer and deliver. Agere Systems Guardian recognizes that ASSIGNOR holds only bare legal title to the TRANSFERRED PATENTS listed in Appendix A (which lists the United States Patents and patent applications previously exclusively licensed to Lucent Technologies Microelectronics Guardian Corp.).

ASSIGNOR and ASSIGNEE recognize that the patents listed in Appendices A and B may inadvertently include patents that are owned by various subsidiaries of ASSIGNOR, including Agere, Inc., Ortel Corporation, Optimay Corporation, Herrmann Technology, Inc., and Enable Semiconductor, Inc. Ownership of such patents shall not be affected by this Patent

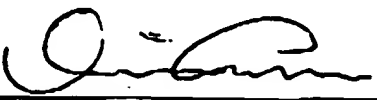
Assignment, and ASSIGNEE agrees that any such patents shall be deemed deleted from Appendices A and B.

ASSIGNOR agrees that, upon request it will, at any time without charge to Agere Systems Guardian, but at Agere Systems Guardian's expense, furnish all necessary documentation relating to or supporting chain of title, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for vesting title to TRANSFERRED PATENTS in Agere Systems Guardian, its successors, assigns and legal representatives or nominees; including but not limited to any acts which may be necessary, desirable or convenient for claiming said rights and for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in Agere Systems Guardian and its respective successors, assigns and legal representatives or nominees.



IN WITNESS WHEREOF, the parties have caused this PATENT ASSIGNMENT to be executed by their duly authorized representatives as of the Effective Date.

**LUCENT TECHNOLOGIES INC.**

By:   
Daniel P. McCurdy  
President, Intellectual Property Business

**AGERE SYSTEMS GUARDIAN CORP.**

By:   
Fred M. Romano  
President

ACKNOWLEDGMENTS

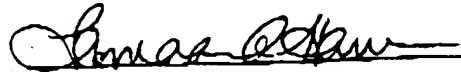
STATE OF NEW JERSEY )

: ss:

COUNTY OF SOMERSET )

I CERTIFY that on January 30, 2001, Daniel P. McCurdy personally came before me and this person acknowledged under oath, to my satisfaction that:

- a.) this person signed, sealed and delivered the attached Patent Assignment as President - Intellectual Property Business of Lucent Technologies Inc.; and
- b.) this Patent Assignment was signed and made by Lucent Technologies Inc. as its voluntary act and deed by virtue of authority from its Board of Directors.



Name TAMORA ANNE HANNA  
 Notary Public Notary Public of New Jersey  
 My Commission Expires ~~Registered in Hunterdon County~~  
 [Notarial Seal] My Commission Expires March 25, 2002

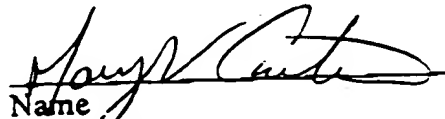
STATE OF FLORIDA )

: ss:

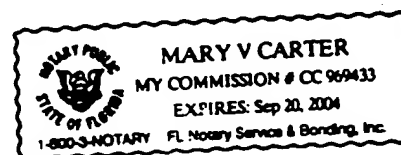
COUNTY OF ORANGE )

I CERTIFY that on January 31, 2001, Fred M. Romano personally came before me and this person acknowledged under oath, to my satisfaction that:

- a.) this person signed, sealed and delivered the attached Patent Assignment as Vice President of Agere Systems Guardian Corp.; and
- b.) this Patent Assignment was signed and made by Agere Systems Guardian Corp. as its voluntary act and deed by virtue of authority from its Board of Directors.



Name  
 Notary Public  
 My Commission Expires:  
 [Notarial Seal]



APPENDIX B (continued)  
Transferred Patents

Case Name	Filing Date	Issue Date	Patent No.	Serial No.
Choi 11-51-71	1/6/2000			09/478647
Choi 1-20-18	8/25/2000		60/228229	
Choi 12-71-89	6/25/1999			09/340062
Choi 13	11/30/1999			09/451054
Choi 14	7/1/1999			09/346419
Choi 15-1-6-1-2	1/6/2000			09/478387
Choi 18-2-1-3-3	8/27/1999			09/384631
Choi 19-3-2-4-4	8/27/1999			09/384505
Choi 2	12/24/1998	6/6/2000	6072210	09/220418
Choi 21	1/18/2000			09/484759
Choi 2-182-50-48	7/30/1999			09/365059
Choi 22-9-4-3-8	3/13/2000			09/523782
Choi 23	1/18/2000			09/484500
Choi 24	4/20/2000			09/553868
Choi 26	8/2/2000		09/631546	
Choi 3-183	7/15/1999			09/354928
Choi 4	7/1/1999			09/345919
Choi 5-50-70	8/27/1999			09/384503
Choi 6-56-76	1/13/1999			60/115841
Choi 7-184-51-49	8/6/1999			09/369802
Choi 7-57-77-8	1/13/1999			60/115840
Choi 8-42	1/12/1999			60/115533
Chou 1-1-4	8/11/2000		09/636455	
Christensen 1	6/30/1998		09/107815	
Chu 1	10/12/1999			09/416348
Chu 3-3-9-1	8/30/1999			09/386132
Chu 4	10/12/1999			09/416336
Chua 1-1-1	7/12/1999			09/351945
Chua 2-1-2	7/12/1999			09/351546
Chua 3-1-1-1	9/26/2000		09/669278	
Chung 7-14	4/14/1999			09/291559
Chung 8-1-18-3	2/22/2000			09/510015
Chyan 10-27-22	1/20/2000			09/488108
Chyan 12-2-28-51-3	8/2/2000		09/631755	
Chyan 15-6-9	8/25/2000		09/648164	
Chyan 5-23	2/15/2000			09/504306
Chyan 6	12/20/1999			09/467650
Chyan 9-48	3/8/2000			09/521268
Ciccone 3-2-2	10/1/1997	4/18/2000	6052407	
Cirelli 3-5	11/12/1998			09/190759
Cirelli 4-2-8-4-6	11/12/1998	01/18/00	6015644	
Cirelli 5-15-1-5	4/16/1999			09/293103
Cirelli 6-17-2-6	9/16/1999			09/397716
Citrin 2-9-1	10/29/1999			09/430316
Claessen 2-2	12/9/1993		08/164661	
Claessen 3-3	6/28/1991		07/723102	
Clancy 2-3-5-2-2-3-2	12/16/1999			09/464183
Clapp 1	7/28/2000		09/628545	
Clemens 12-3-38	11/9/1998	3/14/2000	6038163	09/189131
Clemens 13-4-49	2/4/2000			09/498543
Clemens 9-1-11	6/6/1997		08/871024	
Cochran 17-14-1-18-1-9-2	3/9/1998		09/036756	
Cochran 21-22-10	2/8/1999			09/246402
Cohn 6-4	7/21/2000		09/621110	
Cohn 7	7/28/2000		09/628067	
Cohn 8-6	7/21/2000		09/620939	
Colbry 6-5	8/5/1996		08/692546	
Cole 1-1-14-1	8/3/1998	7/25/2000	09/128041	6094735
Comeau 1-1-1-5-1	12/14/1999			09/459842
Comerford 6-4	9/15/1997		08/937279	

**EXECUTION COPY**

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**PATENT ASSIGNMENT**

**by and between**

**LUCENT TECHNOLOGIES INC.**

**and**

**AGERE SYSTEMS OPTOELECTRONICS GUARDIAN CORP.**

**Dated as of January 30, 2001**

---

## PATENT ASSIGNMENT

THIS PATENT ASSIGNMENT (this "Assignment"), effective as of January 30, 2001 (the "Effective Date"), is by and between Lucent Technologies Inc., a Delaware corporation, with offices at 600 Mountain Avenue, Murray Hill, New Jersey 07974, United States of America, ("ASSIGNOR") and Agere Systems Optoelectronics Guardian Corp., a Delaware corporation, with offices at 555 Union Boulevard, Allentown, PA 18109, United States of America ("Agere Systems Optoelectronics Guardian").

### RECITALS

A. WHEREAS, the Board of Directors of ASSIGNOR has determined that it is in the best interests of ASSIGNOR and its stockholders to separate ASSIGNOR's existing businesses into two independent businesses;

B. WHEREAS, ASSIGNOR presently owns or controls certain patents, patent applications, and invention submissions listed in the attached Appendices A and B (hereinafter "TRANSFERRED PATENTS") and;

C. WHEREAS, in furtherance of the foregoing separation, ASSIGNOR desires to transfer, assign, convey, deliver and vest all of its interests and rights in TRANSFERRED PATENTS for all countries, jurisdictions and political entities of the world, to and in Agere Systems Optoelectronics Guardian;

NOW, THEREFORE, in consideration of the premises and for other good and valid consideration, the receipt and sufficiency of which are hereby acknowledged, the parties, intending to be legally bound, agree as follows:

ASSIGNOR, subject to existing rights and licenses of third parties, does hereby assign, convey, transfer and deliver, and agrees to assign, convey, transfer and deliver to Agere Systems Optoelectronics Guardian, its successors, assigns and legal representatives or nominees, ASSIGNOR's entire right, title and interest, for all countries, jurisdictions and political entities of the world, along with the right to sue for past infringement, to all TRANSFERRED PATENTS listed on Appendices A and B, and corresponding counterpart foreign patents and patent applications, with respect to which, and to the extent to which, ASSIGNOR now has or hereafter acquires the right to so assign, convey, transfer and deliver. Agere Systems Optoelectronics Guardian recognizes that ASSIGNOR holds only bare legal title to the TRANSFERRED PATENTS listed in Appendix A (which lists the United States Patents and patent applications previously exclusively licensed to Lucent Technologies Optoelectronics Guardian Corp.).

ASSIGNOR and ASSIGNEE recognize that the patents listed in Appendices A and B may inadvertently include patents that are owned by various subsidiaries of ASSIGNOR, including Agere, Inc., Ortel Corporation, Optimay Corporation, Herrmann Technology, Inc., and

Enable Semiconductor, Inc. Ownership of such patents shall not be affected by this Patent Assignment, and ASSIGNEE agrees that any such patents shall be deemed deleted from Appendices A and B.

ASSIGNOR agrees that, upon request it will, at any time without charge to Agere Systems Optoelectronics Guardian, but at Agere Systems Optoelectronics Guardian's expense, furnish all necessary documentation relating to or supporting chain of title, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for vesting title to TRANSFERRED PATENTS in Agere Systems Optoelectronics Guardian, its successors, assigns and legal representatives or nominees; including but not limited to any acts which may be necessary, desirable or convenient for claiming said rights and for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in Agere Systems Optoelectronics Guardian and its respective successors, assigns and legal representatives or nominees.

IN WITNESS WHEREOF, the parties have caused this PATENT ASSIGNMENT to be executed by their duly authorized representatives as of the Effective Date.

**LUCENT TECHNOLOGIES INC.**

By: 

Daniel P. McCurdy  
President, Intellectual Property Business

**AGERE SYSTEMS OPTOELECTRONICS  
GUARDIAN CORP.**

By: 

Fred M. Romano  
President

ACKNOWLEDGMENTS

STATE OF NEW JERSEY )

: ss:

COUNTY OF SOMERSET )

I CERTIFY that on January 30, 2001, Daniel P. McCurdy personally came before me and this person acknowledged under oath, to my satisfaction that:  
a.) this person signed, sealed and delivered the attached Patent Assignment as President - Intellectual Property Business of Lucent Technologies Inc.; and  
b.) this Patent Assignment was signed and made by Lucent Technologies Inc. as its voluntary act and deed by virtue of authority from its Board of Directors.



Name

Notary Public

My Commission Expires **TAMORA ANNE HANNA**

[Notarial Seal]

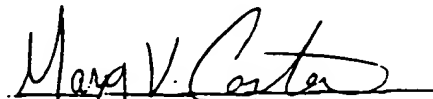
Notary Public of New Jersey  
Registered in Hunterdon County  
My Commission Expires March 25, 2002

STATE OF FLORIDA )

: ss:

COUNTY OF ORANGE )

I CERTIFY that on January 31, 2001, Fred M. Romano personally came before me and this person acknowledged under oath, to my satisfaction that:  
a.) this person signed, sealed and delivered the attached Patent Assignment as Vice President of Agere Systems Optoelectronics Guardian Corp. ; and  
b.) this Patent Assignment was signed and made by Agere Systems Optoelectronics Guardian Corp. as its voluntary act and deed by virtue of authority from its Board of Directors.

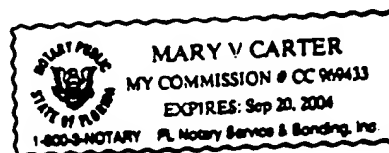


Name

Notary Public

My Commission Expires:

[Notarial Seal]





# APPENDIX B (continued) Transferred Patents

Case Name	Filing Date	Issue Date	Patent No.	Serial No.
O'Brien 2	11/16/1999			09/441019
O'Brien 4	9/1/1999			09/388345
Onat 2	12/28/1999			09/473879
ORTEL 23	4/10/1997		08/838737	
ORTEL 25	7/21/1998		09/120388	
ORTEL 26	8/25/1998		09/139624	
ORTEL 27	9/9/1998		09/150634	
ORTEL 28	12/15/1999			09/464054
ORTEL 30	12/21/1999			09/469947
ORTEL 31	1/12/2000			60/175768
Ortel-1			4764934	
Ortel-10			5132639	
Ortel-11			5127072	
Ortel-12			5179461	
Ortel-13			5278688	
Ortel-14			5252930	
Ortel-15			5430569	
Ortel-16			5453868	
Ortel-17			5457557	
Ortel-18			5515469	
Ortel-19			5363056	
Ortel-2	4/10/1986	1/31/1989	4802178	
Ortel-20			5798854	
Ortel-21			6091864	
Ortel-3			4833683	
Ortel-4			4843611	
Ortel-7			4942585	
Ortel-8			4992754	
Ortel-9			4856017	
Ota 12-5	7/9/1998		09/112221	
Ota 13-6	7/9/1998		09/112548	
Ota 14	9/18/1998	4/25/2000	6055279	
Ota 16	6/15/1999			09/334001
Pafchek 7-1	8/29/2000		09/651543	
Parayanthal 2-5	9/18/1998	5/2/2000	6057954	
Parayanthal 3				09/545765
Plourde 14-32-12				09/227925
Potteiger 13-5				09/401434
Potteiger 5-1	10/15/1998	12/28/99	6007018	
Potteiger 6-2				09/173318
Potteiger 7-1-3				09/173283
Reents 8	1/14/1999			09/231025
Reffle 1-9-2	11/8/1999			09/435793
Ressl 1	6/26/1998	6/13/2000	6075909	
Robinson 5	9/3/1998		09/146446	
Robinson 6	8/14/1998		09/134734	
Robinson 7	11/16/1998	7/11/2000	6088151	09/192652
Roy 2	11/24/1998			09/199018